REMARKS/DISCUSSION OF ISSUES

Allowable Subject Matter

Applicants gratefully acknowledge the indication of allowability of the subject matter of claims 3 and 16. Claims 1 and 10, respectively, were amended in the Response filed on February 28, 2007 to include the subject matter of these claims, and where applicable the subject matter of intervening claims. Therefore all claims are believed to be allowable over the applied art discussed in connection with the rejection under 35 USC 103(a).

Provisional Double Patenting Rejection

Claims 1-20 are the subject of a Provisional Double Patenting rejection in view of U.S. Patent Application Number 10/613,299. Per the Advisory Action, it appears that the only obstacle to issue of the present application is a terminal disclaimer. Applicants provide herewith the suitably executed terminal disclaimer rendering this rejection moot and based on the understanding that the Double Patenting Rejection is the only remaining rejection.

Conclusion

In view of the foregoing, applicants respectfully request the withdrawal of the objections and rejections of record, the allowance of all pending claims, and the holding of the application in condition for allowance.

If any points remain in issue, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

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Respectfully submitted on behalf of

Circadiant Systems, Inc.

by: William S. Francos, Esq.

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Enclosure: Terminal Disclaimer and Statement under 37 CFR 3.73(b)

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